

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1, 8, 12, 17, 21 and 25 have been amended. Claims 2, 9, 13, 18, 22 and 26 have been canceled. No claims have been added. Thus, claims 1, 3-8, 10-12, 14-17, 19-21, 23-25, 27 and 28 are pending.

CLAIM REJECTIONS – 35 U.S.C. § 102(e)

Claims 1, 3, 4, 8, 10, 12, 14, 15, 17, 19 21, 23, 25 and 27 were rejected as being anticipated by U.S. Patent No. 6,920,207 issued to Green (*Green*). For at least the reasons set forth below, Applicants submit that claims 1, 3, 4, 8, 10, 12, 14, 15, 17, 19, 21, 23, 25 and 27 are not anticipated by *Green*.

Claim 1 has been amended to recite:

maintaining the data session while halting the data transmission and handling the incoming telephone call using a microphone and a speaker of the electronic system *in response to a voice command*.

The Office Action states:

Green...does not teach accepting or terminating an incoming call by voice command

See page 4. Therefore, according to the analysis of the Office Action, *Green* cannot anticipate the invention as claimed in claim 1. Independent claims 8, 12, 17, 21 and 25 have been similarly amended. Accordingly, *Green* cannot anticipate any of claims 1, 8, 12, 17, 21 or 25.

Dependent claims 3, 4, 10, 12, 14, 15, 19, 23 and 27 depend from one of the independent claims discussed above. Because dependent claims include the limitations

of the claims from which they depend, Applicants submit that claims 3, 4, 10, 12, 14, 15, 19, 23 and 27 are not anticipated by *Green* for at least the reasons set forth above.

CLAIM REJECTIONS – 35 U.S.C. § 103(a)

Claims 2, 5, 9, 11, 13, 16, 18, 20, 22, 24, 26 and 28 were rejected as being unpatentable over *Green* in view of U.S. Patent No. 5,594,784 issued to Velius (*Velius*). Claims 2, 9, 13, 18, 22 and 26 have been canceled. Therefore, the rejection of claims 2, 9, 13, 18, 22 and 26 is moot. Claims 5, 11, 16, 20, 24 and 28 are dependent claims that depend from one of the independent claims discussed above.

The present application (10/731,267) and U.S. Patent No. 6,920,207 (*Green*) were, at the time the invention of the present application was made, owned by, or subject to an obligation of assignment to, Intel Corporation. Accordingly, *Green* cannot be used to support a rejection under 35 U.S.C. § 103(a) of the claims of the present application.

Claims 6 and 7 were rejected as being unpatentable over *Green* in view of U.S. Patent No. 6,912,276 issued to Olafsson, et al. (*Olafsson*). As discussed above, *Green* cannot be used to support a rejection under 35 U.S.C. § 103(a) of the claims of the present application. Therefore, Applicants request that the rejection of the claims as based on *Green* be withdrawn.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1, 3-8, 10-12, 14-17, 19-21, 23-25, 27 and 28 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would

further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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